

Economic Impact Statement

LSA Document #15-165

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses**Description of Rulemaking**

The Department of Local Government Finance proposes a rule that adds a definition of gross incompetence with respect to the duties of tax representatives and professional appraisers; adds procedures for revocation of professional appraiser certifications; removes obsolete provisions concerning assessor-appraiser continuing education requirements; amends the procedures for revocation of assessor-appraiser certifications; amends requirements for Level Three assessor-appraiser certification; amends provisions defining tax representative and laying out obligations of a tax representative; and amends procedures for certifying and revoking tax representative status. Statutory authority: [IC 6-1.1-30-1.1](#); [IC 6-1.1-31-1](#); [IC 6-1.1-31.7-3](#); [IC 6-1.1-35.5-4.5](#).

Estimated Number of Small Businesses Impacted by this Rule:

The Department of Local Government Finance (Department) estimates that no small businesses will be impacted by this rule. [IC 6-1.1-35.5](#) requires the Department to administer an assessor-appraiser certification program. Specifically, [IC 6-1.1-35.5-4.5](#) requires the Department to create a program for approving courses to attain Level Three assessor-appraiser certification, including developing criteria and procedures. Under this program, course providers have the option of having courses relevant to property tax assessment qualify for inclusion into the core curriculum for Level Three assessor-appraiser certification under [50 IAC 15-3-7](#). [IC 6-1.1-31.7-3](#) requires the Department to establish through rulemaking the minimum requirements for professional appraiser certifications and sanctions for noncompliance with Department rules. State law and Department rules already govern the granting and revocation of tax representative and assessor-appraiser certification; this proposed amendment simply refines the Department's rules and brings them into conformity with state law, which was amended in 2014. The rule itself is "business neutral" in that it should have no direct or indirect effect on business.

Estimated Average Annual Administrative Costs That Small Businesses Will Incur:

The Department estimates that small businesses will incur minimal or no additional administrative expenses resulting from this rule because no additional reporting or filing requirements will be added or created by the proposed rule. Businesses that apply to provide courses that qualify as a substitute for the Level Three assessor-appraiser certification core curriculum may incur occasional costs to compile the required documents and submit them to the Department. These costs are expected to be minimal. Moreover, this is done as part of a pre-existing program, created by the Department pursuant to state law, and only businesses that seek to have their courses qualify under the program are required to apply.

Estimated Total Annual Economic Impact on Small Businesses:

The Department estimates that there will be no financial impact on small businesses as a result of this rule. Small businesses will have no additional responsibilities associated with this rule.

- Supporting Data, Studies, and Analyses: Because no financial impact is expected as a result of this rule, no supporting data, studies, or analyses were relied upon by the agency in its determination.

Justification of Requirement or Cost:

[IC 6-1.1-31](#) states that the Department must promulgate rules regulating the practice of tax representatives, establishing the criteria for revocation of a professional appraiser's certification, and that the Department may adopt rules related to the duties or procedures of the Department. The proposed rule will not impose any additional annual reporting, record keeping, or other administrative costs on small businesses in order to comply with the proposed rule.

Regulatory Flexibility Analysis of Alternative Methods:

The Department did not conduct a regulatory flexibility analysis of alternative methods. Additionally, because no financial impact is expected as a result of compliance with this rule, neither less stringent nor more simplified requirements are necessary for this rule.

- Supporting Data, Studies, and Analyses: Because of the nature of the rule, no supporting data, studies, or analyses were conducted.

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